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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,620	05/24/2006	Sint Baron	NL03 1411 US1	5565
24738 7590 04/30/2008 PHILIPS ELECTRONICS NORTH AMERICA CORPORATION INTELLECTUAL PROPERTY & STANDARDS 370 W. TRIMBLE ROAD MS 91/MG SAN JOSE, CA 95131				
EXAMINER MCDONALD, SHANTESE L				
ART UNIT 3723		PAPER NUMBER		
MAIL DATE 04/30/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/580,620

Applicant(s)

BARON ET AL.

Examiner

Shantese L. McDonald

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 06 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1, 2 and 6-15 is/are rejected.
- 7) ☐ Claim(s) 3-5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,8-10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Taniguchi et al.

Taniguchi et al. teaches a shaving apparatus comprising at least one shaving head including a shaving surface, 62, for contacting the skin during shaving and at least one cutter, 61, that is movable behind the shaving surface, a drive structure including a motor, 40, and coupled to the at least one cutter for driving movement of the cutter, (col. 6, lines 29-32), electric power supply means connected to the motor, a housing, 12, containing the motor and at least part of the electric power supply means, a shell structure, 20, detachable from the housing, enveloping at least a circumference of the housing behind the at least one shaving head when mounted to the housing, (col. 6, lines 33-54), a shaving head holder, 14, and an end of the housing, 18. Taniguchi et al. also teaches that the housing includes at least a first operating member and wherein the shell structure includes at least a second operating member operatively connected with the first operating member wherein the first and second members are mechanically and electrically connected, (col. 8, lines 59-64).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2,6,7,11 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taniguchi et al. in view of Muraguchi et al.

Taniguchi et al. teaches all the limitations of the claims except for a power plug socket at the end of the housing, the shell portion being of a more impact resistant and a softer material than the housing, and comprising an optical signaling member and the shell structure including a window through which optical signaling is visible and in the instance where there is an assortment of shaving apparatuses, the covers having mutually different shapes and being mountable to the housing as an alternative for the other. Maraguchi teaches a power plug, 145, and an optical signaling member, (col. 4, lines 49-53, fig. 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the shaver of Taniguchi with a power plug, in order to enhance the batter power, and an optical signaling member, in order to visualize the remaining battery power. It would have been further obvious to provide the shaver of Taniguchi with the shell portion being of a more impact resistant and a softer material than the housing, as an obvious matter of design choice. It would have been further obvious to provide make the covers of different shapes, with the capability to be interchangeable with another shaving apparatus having the same structure, as a matter

of obvious design choice. It is obvious to provide an assortment of tools with the same basic structure and to have different shaped covers, or attachments such as kits with interchangeable heads, or plates or covers.

Allowable Subject Matter

Claims 3-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

The Applicant argues that the shell structure, 14, does not envelope at least a circumference of the housing behind the at least one shaving head. The Examiner disagrees. The housing, 12, of Taniguchi is described as being a tube having an upper shell and a bottom cover, and the upper shell and the bottom cover closing the top and bottom of the tube in a water-tight fashion to seal the motor, (col. 6, lines 32-54, fig. 4B). Taniguchi teaches that the shell, 20, covers the housing, 12. As shown in fig. 4B, the shell, 20, envelopes at least the front half of the housing, which can be considered as, at least a circumference of the housing. The Examiner notes that the claim limitation is, "at least a circumference", and not the whole circumference of the housing, and this arrangement is located behind the shaving head.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shantese L. McDonald whose telephone number is (571) 272-4486. The examiner can normally be reached on 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on (571) 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3723

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S.L.M.
April 28, 2008

/Joseph J. Hail, III/
Supervisory Patent Examiner, Art Unit 3723